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Filing date: **07/15/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177807
Party	Plaintiff 7-Eleven, Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/JasonBerta/
Date	07/15/2010
Attachments	Joint Motion to Suspend 7 15 2010.pdf (4 pages)(35860 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

7-ELEVEN, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91177807
)	
SUSAN B. BUCENELL,)	Serial No. 78/916,143
)	
Applicant.)	

JOINT MOTION TO SUSPEND PROCEEDING

Applicant, Susan B. Bucenell, and opposer, 7-Eleven, Inc., (collectively “the Parties”) in accordance with Rules 2.117(c) (Suspension of Proceedings) and 2.121(a) (Times for Taking Testimony) of the Trademark Rules of Practice, hereby jointly move that this Honorable Board suspend the proceeding for sixty (60) days to permit the Parties to conclude ongoing settlement discussions. Discovery has closed and the Plaintiff’s Trial Period is currently set to close on August 1, 2010. The Parties seek to suspend the proceeding for 60 days, with Plaintiff’s Trial Period to close 30 days following the end of such suspension.

In accordance with the Board’s Order dated May 28, 2010, the Parties jointly report the following:

1. The Parties believe that the likelihood of settlement is high, and that significant progress has been made in recent weeks. The Parties believe that extending the trial dates will allow the Parties to conclude a settlement agreement.
2. Applicant made a proposal to opposer concerning a possible resolution of this matter structured around an amendment of her application with regard to channels of

trade. Following careful consideration, opposer determined that restricting the channels of trade would likely not be a potential basis for resolution.

3. A counterproposal involving an assignment and licensing back was forwarded by mail to applicant on June 21, 2010, and applicant and opposer's counsel discussed details of such a settlement at length on July 12, 2010.

4. The Parties are engaged in discussions concerning issues of quality control, obligations to use any licensed mark, and other consideration concerning an assignment and license.

5. Subject to availability and approval of 7-Eleven, it is anticipated a written draft of settlement documents will be sent to applicant for review by the end of the week of July 27 (7-Eleven's lead counsel is out of the country this week), and that the Parties will further confer on remaining details the following week subject to the applicant's availability.

6. The Parties believe that the requested suspension will increase the likelihood that the parties can amicably resolve the issues raised in this action. Accordingly, the Parties believe that the grant of the requested relief will serve the systemic interests of "judicial economy" and minimizing the costs associated with trial activities (the expenditure of which could impede settlement efforts).

7. The parties jointly certify to this Honorable Board that the requested relief is not sought merely for delay or any other improper purpose.

For the aforesaid reasons, applicant, Susan B. Bucenell, and opposer, 7-Eleven, Inc., jointly move that this Honorable Board suspend the proceeding for sixty (60) days and reset trial dates as specified to permit the conclusion of ongoing settlement discussions.

Respectfully Submitted,

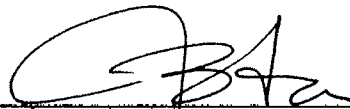
SUSAN B. BUCENELL

FOLEY & LARDNER LLP



Susan B. Bucenell
30623 Bittsbury Court
Wesley Chapel, Florida 33543

Applicant



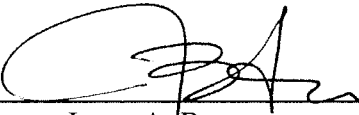
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Attorneys for Opposer,
7-Eleven, Inc.

CERTIFICATE OF SERVICE

I, Jason A. Berta, counsel for Opposer, hereby certifies that a copy of **JOINT MOTION TO SUSPEND PROCEEDING** was served on this 15th day of July, 2010 via first class mail, postage prepaid, upon Applicant at:

Susan B. Bucenell
30623 Bittsbury Ct.
Wesley Chapel, FL 33543-3921



Jason A. Berta